

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

JOSE ALBERTO MARTINEZ  
HERNANDEZ, AGUSTIN VALERIANO,  
and PRIXCO SORIANO, *individually and  
on behalf of others similarly situated,*

*Plaintiffs,*

-against-

EAST WINGERS INC. (d/b/a BEST  
WINGERS) and KUNJ PATEL,

-----X

**Docket No.: 17-cv-2176(ALC)**

~~**PROPOSED**~~  
**CERTIFICATE OF DEFAULT**

I, RUBY J. KRAJICK, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action was commenced on January March 24, 2017 with the filing of the Complaint (Dkt. No. 1); Defendant East Wingers Inc. was served pursuant to on March 31, 2017, copies of the Complaint and Summons were served pursuant to Fed. R. Civ. P. 4(h) (1)(B) on East Wingers Inc. on March 31, 2017, by personally serving Nancy Dougherty an authorized agent in the office of the Secretary of State of New York pursuant to N.Y. C.P.L.R § 311(a)(1) and N.Y. B.C.L. §306(b)(1); that proof of such service on the said Defendant was filed on April 25, 2017 (Dkt No. 9); that a First Amended Complaint was filed on September 29, 2017 (Dkt. No. 29), that Defendants' former counsel accepted service of the First Amended Complaint on October 3, 2017 (Dkt. No. 34).


On May 31, 2022, the Court issued an order relieving defense counsel as attorneys and staying the within action for thirty (30) days to allow Defendants to obtain new counsel and for that new counsel to file a Notice of Appearance. (Dkt. No. 125). On August 17, 2022, the Court

issued an order, granting Plaintiffs' application for leave to file a default motion as to all Defendants on the grounds that the thirty (30) day period had lapsed and new counsel had not appeared on behalf of any of the Defendants.

I further certify that the docket entries indicate that no new counsel has filed a Notice of Appearance on behalf of Defendant East Wingers, Inc. in accordance with the May 31, 2022 Order herein and is hereby in default. The default of Defendant East Wingers, Inc. is hereby noted.

Dated: New York, New York  
August 23, 2022

**RUBY J. KRAJICK**  
Clerk of the Court

By:   
Deputy Clerk